

Response to Office Action of March 26, 2003
Application No. 09/888,264

REMARKS

Support for claims 1, 29, 30, 32-37, 39-42, 44, 47, 48, 50-55, 57-59, 62, 63, 65-70, 72 and 73 can be found on page 1, lines 29-31; page 18, line 19 to page 19, line 28; page 25, line 26 to the end of page 26; page 48, line 1 to page 49, line 19 and claim 2 as originally filed.

Support for claim 43 can be found in claims 1 and 2 as originally filed.

Support for claims 27, 31, 45, 49, 60 and 64 can be found at page 6, line 1.

Support for claims 28, 46 and 61 can be found on page 11, lines 13-16.

Support for claims 38, 56 and 71 can be found at page 15, lines 15-17; page 18, lines 28-30; and page 40, line 12 to page 47, line 21.

The amendment to the specification deletes an embedded hyperlink and replaces it with a reference to the journal article that describes the BLAST program.

No new matter has been added.

Substance of the interview

Applicants's representatives would like to thank Examiners Angell and Fredman for the meeting of June 12, 2003, and for their many helpful suggestions and comments. During the discussion, Examiners Angell and Fredman indicated that the 35 USC 102(b) rejection based on Appleby *et al.* (1999) would be withdrawn because Appleby does not specifically show oxoglutarate carrier (OGC) expression on the polyacrylamide gel. Also during the discussion, Examiners Angell and Fredman recommended adding an additional step to claim 1 to obviate the 35-USC 102(b) rejection based on Palmisano *et al.* (1998). Claim 1 has been so amended.

Claims 1, 27-73 are pending.

The rejection of the claims under 35 USC § 102(b) in view of Palmisano *et al.* (1998) is obviated by amendment.

The rejection of the claims under 35 USC § 102(b) in view of Appleby *et al.* (1999) is respectfully traversed. Appleby *et al.* (1999) do not demonstrate the expression of OGC in their results (page 114, Fig. 6a).

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References

- Appleby *et al.* (1999) Quantitation and origin of the mitochondrial membrane potential in human cells lacking mitochondrial DNA. *Eur. J. Biochem.* 262:108-116.
- Palmisano *et al.* (1998) Targeting and assembly of the oxoglutarate carrier: general principles for biogenesis of carrier proteins of the mitochondrial inner membrane. *Biochem. J.* 333:151-158.

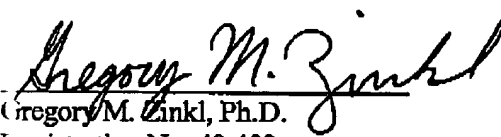
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CONCLUSION AND REQUEST FOR RECONSIDERATION

Reconsideration and withdrawal of all claim rejections is respectfully requested.
Applicants believe that all claims in the present application are in condition for allowance.

Should the Examiner have any questions, or would like to discuss any matters in connection with the present application, the Examiner is invited to contact the undersigned at (312) 876-8936.

Respectfully submitted,


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